

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

R.J. REYNOLDS TOBACCO COMPANY, a
North Carolina Corporation,

Plaintiff,

V.

ROB MCKENNA, in his capacity as Attorney General of Washington; and MERRITT D. LONG, VERA ING, and ROGER HOEN, in their capacities as Members of the Washington State Liquor Control Board.,

Defendants.

Case No. C06-5223

ORDER REQUESTING RESPONSE
TO MOTION FOR
RECONSIDERATION

Defendants have moved for reconsideration of this Courts's Order of August 24, 2006, finding Washington Session Law Ch. 14 (2006) preempted by the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. § 1334(b). The Court desires a response to the motion be filed by Plaintiff to the following issues:

- A. Whether the Court's Order should clarify to indicate its scope is confined to the promotion of cigarettes.
- B. Whether the Court's Order should be clarified to limit its application to adult only venues consistent with RJR's request for relief.

ORDER - 1

1 C. Whether the Court's Order should be stayed pending appeal.

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3 ACCORDINGLY,

4 IT IS ORDERED:

5 Plaintiff shall file a response to the motion for reconsideration. The motion is renoted for
6 September 22, 2006 and the response shall be served and filed no later than September 21, 2006.

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8 DATED this 6th day of September, 2006.

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14 FRANKLIN D. BURGESS
15 UNITED STATES DISTRICT JUDGE
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